



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

February 16, 2021

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chairman, District I
Mr. Paul Cain, Vice Chairman, District III
Mr. Julian Davis III, Chairman Pro Tem, District IV
Mr. Glenn Hart, District V
Mr. Matthew Durham, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Adam Chapman, Planning Director, present [Katie D. Smith, Clerk to Council, absent].

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [upon request] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Riley Morningstar / The Journal

Call to Order

Mr. Elliott called the meeting to order at 6:00 p.m.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Katie Smith at ksmith@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

Mr. John Eagar addressed Council and thanked them for moving forward with the fire substation in Bountyland.

Mr. Matt Postell addressed Council in support of Resolution 2021-01 that was introduced at the February 2, 2021 Council meeting.

Mr. David McMahan addressed Council regarding the national republication platform and referred to the 5th & 15th amendments.

Mr. Frankie Pearson addressed Council regarding the number of deputies at the Oconee County Sheriff's

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Department and salaries should be higher.

County Council Response to Public Comment

Mr. Durham noted there is a good system in place for citizens to speak if we get to room capacity due to COVID restrictions and also responded to Mr. Pearson's comments.

Moment of Silence

Mr. Elliott asked for a moment of silence prior to the Invocation by County Council Chaplain.

Invocation by County Council Chaplain

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance

Mr. Hart the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the February 2, 2021 Regular Minutes as presented.

Administrator's Comments

Ms. Brock addressed Council with the following items:

- Thanked citizens that were in attendance that addressed issues or concerns
- Strategic Planning Retreat meeting beginning at 9am, Friday, February 19, 2021

Attorney's Comments

Mr. Root addressed Council with the following items:

- Request motion to amend the agenda to insert after the Public Hearings to add "Discussion on Ordinance 2021-06 (not to include a formal reading), but to include instructing the Planning Commission to review, report on, and issue a recommendation in relation to 2021-06 and to develop estimated cost up charge to meet standards. The Planning Commission will have 30 days to issue its report and recommendation."
- Background information regarding Ordinance 2021-05 & 2021-06

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to amend the agenda to insert after the Public Hearings to add "Discussion on Ordinance 2021-06 (not to include a formal reading), but to include instructing the Planning Commission to review, report on, and issue a recommendation in relation to 2021-06 and to develop estimated cost up charge to meet standards. The Planning Commission will have 30 days to issue its report and recommendation."

Proclamation 2021-01

- Proclamation 2021-01 Recognizing February as Black History Month

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Mr. Cain read **Proclamation 2021-01** into the record.

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Proclamation 2021-01** on first & final reading.

Public Hearings for the Following Ordinances

If you are not able to attend in person and you would like to be heard during the public hearings, please contact Katie Smith at ksmith@oconeesc.com or 864-718-1023 so that she may coordinate your participation by telephone.

Ordinance 2021-04 “AN ORDINANCE REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN FACILITIES OWNED OR OPERATED BY OCONEE COUNTY (SUNSET PROVISION INCLUDED), AND OTHER MATTERS RELATED THERETO.”

General Government matter

Mr. Elliott opened the floor for Public Comment.

Ms. Nicole Wilson addressed Council in opposition of **Ordinance 2021-04**.

Ms. Martha Steele addressed Council in support of **Ordinance 2021-04**.

Noting that no other citizens signed up to address Council, Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Elliott asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2021-04**.

Ordinance 2021-05 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF LAKE CORRIDOR SIGNAGE STANDARDS, AND OTHER MATTERS RELATED THERETO.”

Forwarded from the Planning & Economic Development Committee

Mr. Elliott opened the floor for Public Comment.

Mr. Martha Steele addressed Council in support of **Ordinance 2021-05**.

Mr. Jim Codner addressed Council in support of **Ordinance 2021-05**.

Ms. Sharon Hamilton addressed Council in support of **Ordinance 2021-05**.

Mr. Jack Makuch addressed Council in support of **Ordinance 2021-05**.

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Mr. David McMahan addressed Council in opposition of **Ordinance 2021-05**.

Mr. Robert Royer addressed Council in support of **Ordinance 2021-05**.

Mr. Grant Keehn addressed Council in opposition of **Ordinance 2021-05**.

The following four [4] emails were received by the Clerk to Council and Mr. Elliott read each comment into the record [copy filed with backup materials].

Mr. Phil Soper addressed Council via email in support of **Ordinance 2021-05**.

Mr. Gary Owens addressed Council via email in support of **Ordinance 2021-05**.

Ms. Cheryl Baldwin addressed Council via email in opposition of **Ordinance 2021-05**.

Mr. Terry Keane addressed Council via email in support of **Ordinance 2021-05**.

Noting that no other citizens signed up to address Council, Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Elliott asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2021-05**.

Ordinance 2021-06 “AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF TRAFFIC CORRIDOR DESIGN STANDARDS, AND OTHER MATTERS RELATED THERETO.”

Forwarded from the Planning & Economic Development Committee

Mr. Elliott opened the floor for Public Comment.

Mr. Randy Jones addressed Council in opposition of **Ordinance 2021-06**.

Mr. Luke Moore addressed Council in opposition of **Ordinance 2021-06**.

Mr. Allen Neal addressed Council in opposition of **Ordinance 2021-06**.

Ms. Jean Jennings addressed Council in opposition of **Ordinance 2021-06**.

Mr. Mark Markovich addressed Council in opposition of **Ordinance 2021-06**.

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Mr. Bill Gilster addressed Council in support of **Ordinance 2021-06**.

Mr. Robert Royer addressed Council in support of **Ordinance 2021-06**.

Ms. Martha Steele addressed Council in support of **Ordinance 2021-06**.

Mr. Peter Barnes addressed Council in opposition of **Ordinance 2021-06**.

Mr. Terry Keane addressed Council in support of **Ordinance 2021-06**.

Mr. Paul Corbeil addressed Council in support of **Ordinance 2021-06**.

Mr. Wade Cobb addressed Council in opposition of **Ordinance 2021-06**.

Mr. David Oliver addressed Council in opposition of **Ordinance 2021-06**.

Mr. David McMahan addressed Council in opposition of **Ordinance 2021-06**.

Mr. Jamie Carver addressed Council in opposition of **Ordinance 2021-06**.

Mr. Michael Owens addressed Council in opposition of **Ordinance 2021-06**.

Ms. Linda Lovely addressed Council in support of **Ordinance 2021-06**.

Mr. Jim Codner addressed Council in support of **Ordinance 2021-06**.

Mr. Douglas Hedden addressed Council in opposition of **Ordinance 2021-06**.

Mr. John Eager addressed Council in support of **Ordinance 2021-06**.

Ms. Davis addressed Council in opposition of **Ordinance 2021-06**.

Ms. Sharon Hamilton addressed Council in support of **Ordinance 2021-06**.

Mr. Cameron Collins addressed Council in opposition of **Ordinance 2021-06**.

The following five [5] emails were received by the Clerk to Council and Mr. Elliott read each comment into the record [copy filed with backup materials].

Ms. Sue Williams addressed Council via email in support of **Ordinance 2021-06**.

Ms. Lisa Shirley addressed Council via email in opposition of **Ordinance 2021-06**.

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Mr. Scott Shirley addressed Council via email in opposition of **Ordinance 2021-06**.

Ms. Tammy Giordano addressed Council via email in opposition of **Ordinance 2021-06**.

Mr. Harvey & Mrs. Julie Clark addressed Council via email in support of **Ordinance 2021-06**.

Noting that no other citizens signed up to address Council, Mr. Elliott opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Elliott asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Elliott closed the Public Hearing regarding **Ordinance 2021-06**.

Discussion on Ordinance 2021-06 (not to include a formal reading), but to include instructing the Planning Commission to review, report on, and issue a recommendation in relation to 2021-06 and to develop estimated cost up charge to meet standards. The Planning Commission will have 30 days to issue its report and recommendation.

Agenda amended to add this discussion – see Attorney’s comments

Mr. Cain made a motion, seconded by Mr. Davis, to instruct the Planning Commission to review, report on, and issue a recommendation in relation to 2021-06 and to develop estimated cost up charge to meet standards and that the Planning Commission will respond back within 30 days.

Lengthy discussion followed by Council members.

Regarding the previous motion made by Mr. Cain, seconded by Mr. Davis, the motion **failed** 0 – 5, to instruct the Planning Commission to review, report on, and issue a recommendation in relation to 2021-06 and to develop estimated cost up charge to meet standards and that the Planning Commission will respond back within 30 days.

Mr. Davis made a motion, seconded by Mr. Durham, approved 5 – 0, to recall **Ordinance 2021-06** from the Planning Commission.

Council took a break from 9:12 p.m. to 9:19 p.m.

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to reconvene.

Third Reading of the Following Ordinances

Ordinance 2021-04 [see caption above]

Mr. Davis made a motion, seconded by Mr. Cain, approved 4 – 1 [Mr. Durham opposed], to approve **Ordinance 2021-04** on 3rd & final reading.

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Ordinance 2021-05 [see caption above]

Mr. Cain made a motion, seconded by Mr. Davis, to approve **Ordinance 2021-05** on 3rd & final reading. The motion **failed** 1 – 4 [Mr. Davis, Mr. Cain, Mr. Hart, & Mr. Durham opposed].

Second Reading of the Following Ordinances

None at this meeting.

First Reading for the Following Ordinances

Ordinance 2021-07 “AN ORDINANCE INCREASING THE “NOT TO EXCEED” TAX RATE FOR THE KEOWEE FIRE TAX DISTRICT FROM 14.5 MILLS TO 17.5 MILLS, CONSISTENT WITH ARTICLE VI OF OCONEE COUNTY ORDINANCE 2003-12, WHICH ESTABLISHED THE KEOWEE FIRE TAX DISTRICT AND KEOWEE FIRE COMMISSION.”

General Government matter

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2021-07** on first reading.

First & Final Reading of the Following Resolutions

Resolution 2021-02 “A RESOLUTION AUTHORIZING THE ACCEPTANCE OF APPROXIMATELY 1.43 ACRES OF REAL PROPERTY FROM THE SCHOOL DISTRICT OF OCONEE COUNTY; AND OTHER MATTERS RELATED THERETO.”

General Government matter

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Resolution 2021-02** on first & final reading.

Resolution 2021-03 “A RESOLUTION AUTHORIZING OCONEE COUNTY TO ENTER INTO A LEASE AGREEMENT WITH THE CITY OF WESTMINSTER, WHEREBY THE COUNTY WILL CONTINUE TO LEASE APPROXIMATELY 76 ACRES OF REAL PROPERTY CONSTITUTING A PORTION OF THE CHAU RAM COUNTY PARK; AND OTHER MATTERS RELATED THERETO.”

General Government matter

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to approve **Resolution 2021-03** on first & final reading.

Discussion Regarding Action Items

Request for removal of Library Board member for non-attendance

Kathryn Campbell Smith was appointed in January, 2019. Ms. Smith attended the January and May meetings in 2019, and has not attended a meeting since that time. This member has also not responded to repeated

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attempts to reach by email, and a letter sent by U.S. Mail inquiring about this member's intent to remain on the Board. Library Board by-laws state that, "(I)f a board member misses two (2) consecutive board meetings without an adequate excuse, the board will bring this matter to the attention of County Council for consideration of termination from the board." We request that Ms. Smith be removed from the Board so that a replacement can be named for the remainder of her term.

It is the recommendation of the staff liaison to the Board that Ms. Smith be removed so that another appointment may be made to fill this *de facto* vacancy.

Mr. Cain made a motion, seconded by Mr. Davis, approved 5 – 0, to remove Ms. Kathryn Campbell Smith from the Library Board so that another appointment may be made to fill this *de facto* vacancy.

Allocation of direct funding not to exceed \$210,000 to the Town of Salem for the engineering and installation of waterline along the Highway 11 business corridor, pump station, generator, and related system infrastructure

On July 17, 2018, funds not to exceed \$210,000 were approved by Council to be appropriated from the Economic Development fund and committed as a match for the purposes of contributing to a grant which would improve the Town of Salem's water system with the extension of a waterline along Highway 11. The funds would ultimately be presented as match on an EDA Disaster Relief grant application for which no award was granted to the Town of Salem.

On May 21, 2019, Council approved the funds to be earmarked for the same project and authorized the County Administrator to allow the County Grants Writer and Coordinator to work with the Town of Salem to obtain a grant for the remaining amount of the project cost. An Economic Infrastructure grant application was submitted to the SCRIA, but no award was granted due to greater infrastructure needs in the state. The \$210,000 remains earmarked and unspent.

In 2020, the Town of Salem applied for a loan from the State Revolving Fund (SRF) and was selected for the 2021 (Fiscal Year 2020) project list. The Town of Salem has been awarded \$216,000 in principal forgiveness assistance for an estimated project cost of \$270,000. The Rosier Group is currently managing engineering for the project and the SRF loan. The Rosier Group has estimated the total project cost at \$640,922.40. The Town of Salem wishes to be directly allocated the earmarked \$210,000 to supplement the difference between the SRF estimate and the Rosier Group's estimate of the total project cost and begin construction for the project. The allocation of these funds will allow the Town of Salem to begin construction as soon as possible and make much needed improvements to the water system.

It is staff's recommendation that Council approve the allocation of direct funding not to exceed \$210,000, which has been earmarked for this project, to the Town of Salem for the engineering and installation of waterline along Highway 11, pump station, generator, and related system infrastructure.

Mr. Davis made a motion, seconded by Mr. Hart, to approve the allocation of direct funding not to exceed \$210,000.00, which has been earmarked for this project, to the Town of Salem for the engineering and

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installation of waterline along Highway 11, pump station, generator, and related system infrastructure. Mr. Ryan Hardin, Public Works Director for the Town of Salem, addressed Council and gave an update.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Hart, it was approved 5 – 0, to approve the allocation of direct funding not to exceed \$210,000.00, which has been earmarked for this project, to the Town of Salem for the engineering and installation of waterline along Highway 11, pump station, generator, and related system infrastructure.

Board & Commission Appointments

Arts & Historical Commission

Mr. Durham made a nomination, approved 5 – 0, to appoint Mr. Oly Ernie Lombard as the District II representative on the Arts & Historical Commission.

Board of Zoning Appeals

Mr. Hart made a nomination, approved 5 – 0, to appoint Mr. Tim Mays as the District V representative on the Board of Zoning Appeals.

Building Codes Appeal Board

No nomination was made for the At-Large seat during this meeting.

Conservation Bank Board

Mr. Davis made a nomination, approved 5 – 0, to appoint Mr. Nicholas Gambrell as the District IV representative on the Conservation Bank Board.

Executive Session:

None at this meeting.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 9:40 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

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